

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

DONALD C. HUTCHINS,
Plaintiff,

Civil Action No. 04-30126-MAP

v.

CARDIAC SCIENCE, INC., ET AL.

Defendants.

**DEFENDANT'S MOTION TO ENJOIN PLAINTIFF FROM FILING ANY
FURTHER MOTIONS WITHOUT LEAVE OF COURT UNDER 28 U.S.C. §1651(a).**

COMES NOW Defendant Cardiac Science, Inc., hereby moving the Court to enjoin Plaintiff from filing any further motions without leave of court, unless and until Plaintiff is successful in his appeal of the Summary Judgment. The Motion is made on the basis that under 28 U.S.C. § 1651(a) when an abusive litigant impinges upon the time and resources of the court system, an injunction barring a party from filing and processing frivolous and vexatious lawsuits may be issued. The Motion is further based on the attached Memorandum of Law in Support of Its Motion Pursuant to 28 U.S.C. § 1651(a) to Enjoin Plaintiff From Filing Any Further Motions Without Leave of Court and supporting documents filed herewith.

Respectfully submitted,

**PATTERSON, THUENTE,
SKAAR & CHRISTENSEN, P.A.**

Dated: November 3, 2005

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